8. (Amended) A device according to claim 1, wherein the panels are of rectangular shape and of the same size along one side and along the other side of the panels; the support panel is of a smaller size than the working surface panel; the elevation panel is of a smaller size than said support panel; and the lip panel is of the smallest size.

10. (Amended) A device according to claim 2, wherein the clip means comprise one or more pairs of jaws, each having an upper jaw movable so as to close and to interconnect, releasably, with a bottom jaw affixed to the working surface panel to hold activity sheets.

REMARKS

This Amendment is submitted in response to the first Official Action of April 2, 2002. Reconsideration and allowance are respectfully requested.

Applicant has amended the title of this application as suggested by the Examiner.

Claims 1, 2, 3, 8 and 10 have been amended to remove instances of "the said" and indefinite terms, and to provide antecedent basis, as requested by the Examiner.

Concerning the rejections on the merits, the Examiner is respectively requested to reconsider his 35 U.S.C. §103 rejection based on the combination of Borke et al. and Cross against claim 1, and against claims 3, 4, 8, 9 and 11 to 13 (dependent on claim 1). While Borke et al. discloses a support device having panels which in the first instance may seem to be similar to applicant's panels as claimed in claim 1, applicant's claimed panel construction is materially different. The Borke et al. device requires a hinge construction between the panels, in particular, having hinges being molded into the device at the time of fabrication (column 6 lines 35 to 39) or a heavy duty binder tape (column 6 lines 39 to 42) or a molded hinge construction (column 6 lines 43 and 44). Such a construction is both costly and time consuming in fabricating the device, but understandably necessary in view of the need for a secure support for laptop computers, for which

the Borke et al device is intended. Applicant's device, on the other hand, avoids the need for such a form of hinge, through her use of panel material having integrally formed, laterally spaced, parallel ribs sandwiched between two sheets of plastic from one side to the other. This construction permits linear cuts to be made between the ribs, on one of the sheets, to enable the panels to be folded about a corresponding fold line in the other sheet formed between the same ribs. This is an extremely simple and effective construction, still providing adequate support, even for laptop computers, with a minimum of expense, and removes the need for living hinges, and the like.

Applicant submits that the teachings of Cross do not advance the Examiner's position on obviousness. While Cross teaches a foldable support device formed of the parallel sheets 92 and 93, as suggested by the Examiner, applicant submits that the parallel ribs, referred to by the Examiner as being illustrated in Figure 9 of Cross, are NOT part of the Cross teachings. In fact, it is submitted that what the Examiner has noted as being ribs are, in fact, not ribs but cross-hatching for a "compressible core 91 of paper" (column 5 lines 62 to 64). A compressible core of paper between opposite facing layers of plastic would not address many of the problems which applicant's device as claimed in claim 1 solves, through her integral, parallel rib - upper and lower sheet construction, including economy and ease of construction. As just one example of this, for the Cross device to have a similar construction and operation to applicant's device as claimed in claim 1, the compressible core of paper would have to be cut through as well as one of the outer layers. This would require an extremely precise cut in both lateral alignment and in depth. Since applicant is cutting into an empty space between adjacent ribs, applicant need only be concerned with cutting through one exterior sheet between the ribs. The depth of the cut (so long as the cut is not through the other sheet) is not nearly as critical.

As well, the compressible core of paper, which presumably assists in accommodating the tongue and groove construction and the need for folding of flat sections against compressed bend lines (column 5 lines 65 to 67) required by the Cross construction, is contrary to the support rigidity achieved by applicant's construction (e.g. page 5 lines 17 to 22), as required for the intended functions of applicant's device.

Finally, it is important to note that Cross does not teach an integral construction of outer sheets and ribs, but instead teaches opposite layers of plastic with a compressible core of paper. Again, the integral construction of applicant's claimed device significantly facilitates the ease and economy of applicant's construction.

For similar reasons, it is submitted that the remaining claims 2, 5, 6, 7, 10, 14 and 15 should be found allowable, since the additional combinations of Timberlake with Borke et al. and Cross (claim 2), Degenholtz with Borke et al. and Cross (claims 5 to 7, 14 and 15) and Timberlake and Patel with Borke et al. and Cross (claim 10) fail to teach applicant's integral sheet and rib construction as claimed. Again, it is this construction which permits a simple, sturdy, yet economical support panel construction of applicant's device, not taught or suggested by these combinations of prior art references.

In that applicant believes that the claims, as now amended, patentably define over the prior art of record and because the formal objections have been corrected, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

Thomas J. Nikolai
Registration No. 19,283
900 Second Avenue South, Suite 820
Minneapolis, MN 55402-3325
Telephone: 612-339-7461
Fax: 612-349-6556

Marked-Up Version of Amended Claims

1. (Amended) A portable, light-weight, foldable, support device for object such as papers, portable computers [,] and bingo cards [and the like], the device formed from lightweight, plastic, planar, spaced upper and lower parallel sheets separated by integrally-formed, spaced, parallel ribs laterally extending between said sheets from one side edge of [the] said sheets to an opposite side edge, the upper sheet having a plurality of linear cuts, each cut running through the upper sheet from the one side edge of [the] said upper sheet to the opposite edge, each cut being between a different adjacent pair of [the] said ribs to permit the folding of the device about a corresponding fold line in the lower sheet formed between those same ribs, the cuts and corresponding fold lines being of a number and spaced so as to form, in the device, in sequence, a working surface panel, an elevation panel, a support panel, and a lip panel, these panels foldable, about the fold lines in the lower sheet, in one direction out of the plane of the sheets, into an operative configuration of the device so that said working surface panel is upwardly and rearwardly inclined with respect to a horizontal working surface on which the device may rest, and [the] said working surface panel is supported at a lower front edge of [the] said working surface panel on said horizontal support surface, and at its upper rear edge by the other panels, said working surface panel and said other panels provided with securing means for [reasonably] releasably holding [the] all of said panels in the operative configuration.

2. (Amended) A device according to claim 1, wherein the upper sheet of the working surface panel is provided near its rear edge with clip means [for] adapted to releasably [securing] secure [the activity] sheets in position on said working surface panel.

3. (Amended) A device according to claim 1, wherein the device is [constructed so as] adapted to be supported on a horizontal support surface at a lower front edge of the working surface panel, and along [the] an edge of the support panel near [the] a juncture of the elevation panel and said support panel.

8. (Amended) A device according to claim 1, wherein the panels are of rectangular shape and of the same size along one side and along the other side of the panels; the support panel is of a smaller size [that] than the working surface panel; the elevation panel is of a smaller size than [the] said support panel; and the lip panel is of the smallest size.

10. (Amended) A device according to claim 2, wherein the clip means comprise one or more pairs of jaws, each having an upper jaw movable [in a hinge-like manner] so as to close and to interconnect, releasably, with a bottom jaw affixed to the working surface panel to hold activity sheets.

CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment in response to the Official Action of April 2, 2002, in application Serial No. 09/847,480 of inventor, Suzan Hardy, filed May 2, 2001, for "SUPPORT DEVICE" is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 1, 2002.